

REMARKS

Claim 1 is currently pending. In the Office Action of March 24, 2005, the Examiner rejected claim 1 under 35 U.S.C. §112, second paragraph, as being indefinite. Also, the Examiner rejected claim 1 under 35 U.S.C. §103(a) as being unpatentable over Carbone et al. (U.S. Patent No. 4,458,466) in view of Richmond (U.S. Patent No. 3,070,280).

Applicant has amended the Specification to correct a typographical error. Specifically, Applicant has amended ¶[0001] to correctly identify that the application claims the benefit of provisional application Serial No. “60/426,291” and not application Serial No. “60/426,91.”

In response to the above-listed rejections, Applicant has amended claim 1. First, with respect to the rejection of claim 1 as being indefinite, Applicant has amended claim 1 to correct a typographical error that incorrectly called for “the rack” without establishing proper antecedent basis for such. Accordingly, line 3 of claim 1 has been amended to call for “a rack.” Accordingly, Applicant believes claim 1 to be in compliance with the requirements of §112, second paragraph.

Second, regarding the rejection of claim 1 under §103(a), Applicant has amended the claim to clarify the invention. As such, claim 1 calls for a flexible package having substantially two bags joined by a central tab and removable therefrom through corresponding perforations and closeable via the corresponding resealable adhesive strips. That is, as described with respect to Fig. 3, claim 1 calls for the components forming first and second resealable bags that share a common back plastic sheet.

The art of record does not teach or suggest the claimed two bag system. In particular, Richmond is directed to a system for self-sealing envelopes and clearly does not teach or suggest the claimed two bag system. Likewise, Carbone et al. is directed to a system that combines a bag and food wrapper and does not teach or suggest the claimed two bag system. Accordingly, the art of record certainly does not teach or suggested the specific configuration called for in claim 1.

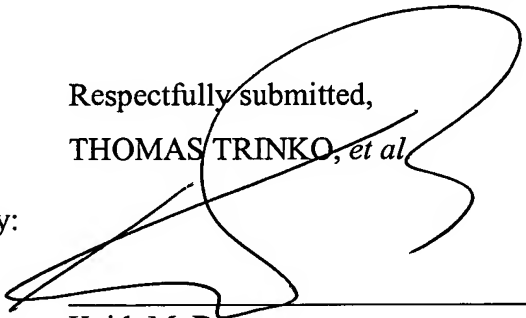
In fact, Carbone et al. actually teaches away from any two bag system and, thus, cannot be used to sustain a rejection of the claimed invention under §103. That is, Carbone et al. states that “two detachably interconnected bags in which foodstuffs can be placed” are “[k]nown in the prior art.” Col. 1, ll. 36-27. However, Carbone et al. then states, “Although these detachably interconnected bags are satisfactory for the purpose for which they are intended, they do not provide means for pre-wrapping the foodstuffs prior to insertion into the bags and hence do not alleviate the aforementioned problems.” Col. 1, ll. 37-42. Therefore, while Carbone et al. does acknowledge that two bag systems are known in the prior art, nowhere does Carbone et al. nor the remaining art of record teach or suggest any specific configuration of interconnected bags. Accordingly, regardless of any prior art two bag systems, Carbone et al. cannot be combine with such to render the claimed invention obvious. *See* MPEP §§2141.02 and 2145. Therefore, nowhere does the art of record teach or suggest the claimed invention.

In light of the foregoing, Applicant does not believe any additional matters remain and respectfully requests timely issuance of a Notice of Allowance. However, should the Examiner disagree and believe it helpful, the Examiner is invited to contact the undersigned to discuss any outstanding matters.

Respectfully submitted,

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